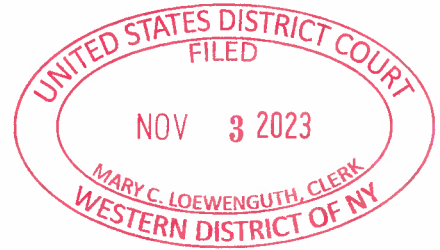


UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK



UNITED STATES OF AMERICA,

v.

23-CR-20 (JLS) (JJM)

WILLIAM A. QUINONES,

Defendant.

DECISION AND ORDER

Defendant William A. Quinones is charged in a two-count indictment with (1) transporting a minor in interstate or foreign commerce with the intent that the minor engage in sexual activity for which a person could be criminally charged, and (2) sex trafficking of a minor. *See* Dkt. 18. United States Magistrate Judge Jeremiah J. McCarthy was designated to hear and determine, and report and recommend on, all pre-trial proceedings under 28 U.S.C. §§ 636(b)(1)(A) and (B). Dkt. 19.

Quinones moved to suppress physical evidence obtained from the Chautauqua County Sheriff's Office's execution of a search warrant at his residence,¹ 62 N. Erie Street, Apartment 1, in Mayville, New York. *See* Dkt. 33 ¶¶ 3–6. He argued that the search warrant did not describe the location to be searched with sufficient particularity. *See id.* The Government responded in opposition to Quinones's motion. Dkt. 35. Quinones did not reply. Judge McCarthy held oral argument on October 3, 2023, and on October 4, 2023, issued a Report and Recommendation ("R&R"),

¹ Quinones filed other motions as well, *see* Dkt. 33, but the remaining issues were resolved without court involvement, *see* Dkt. 37, at 1 n.2.

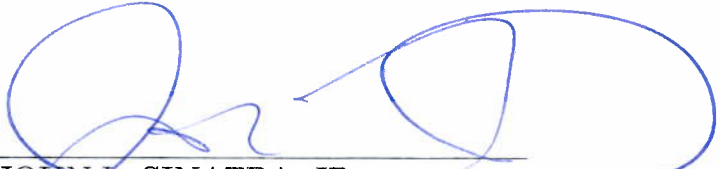
recommending that this Court deny Quinones's motion to suppress. Dkt. 37. Neither Quinones nor the Government objected to the R&R, and the time to do so has expired. *See* 28 U.S.C. § 636(b)(1); Fed. R. Crim. P. 59(b)(2).

A district court may accept, reject, or modify the findings or recommendations of a magistrate judge. 28 U.S.C. § 636(b)(1); Fed. R. Crim. P. 59(b)(3). A district court must conduct a *de novo* review of those portions of a magistrate judge's recommendation to which a party objects. 28 U.S.C. § 636(b)(1); Fed. R. Crim. P. 59(b)(3). But a district court need not review the recommendation of a magistrate judge to which no objections are raised. *See Thomas v. Arn*, 474 U.S. 140, 149–50 (1985).

Though not required to do so here, this Court nevertheless reviewed Judge McCarthy's R&R and the relevant record. Based on that review, and absent any objections, the Court accepts and adopts Judge McCarthy's recommendation to deny Quinones's motion.

For the reasons stated above and in the R&R, the Court DENIES Quinones's motion to suppress physical evidence (Dkt. 33). The parties shall appear before this Court on **November 8, 2023, at 2:45 p.m.** for a status conference to set a trial date. SO ORDERED.

Dated: November 3, 2023
Buffalo, New York



JOHN L. SINATRA, JR.
UNITED STATES DISTRICT JUDGE